

Senate Bill No. 1235

Passed the Senate April 17, 2008

Secretary of the Senate

Passed the Assembly August 7, 2008

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 12281 of the Elections Code, relating to polling places.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, Oropeza. Polling place: notice of change.

Existing law provides that when the location of a polling place is changed and there is not sufficient time to mail out a notice to voters, notices of the new location must be placed at the former polling place.

This bill would also require notices to be placed at the former polling place location informing voters of the new location even when there is time to mail out a notice of the change of location.

Because the bill would create a new duty for local elections officials, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 12281 of the Elections Code is amended to read:

12281. (a) If, for any valid reason, the polling place designated for any precinct cannot be used, and this fact is known in sufficient time to allow a mailed notice to be received before the election, the elections official may designate another polling place and shall mail to each voter in the precinct a notice showing this change. In addition, the elections officials shall post notice on or near the polling place first designated, informing voters of the new polling place location.

(b) If the information is not known in sufficient time for a mailing pursuant to subdivision (a), either the elections official or, in the case of an emergency, the precinct board on the day of election, shall designate another polling place as near the polling place first designated as possible, post notice on or near the polling place first designated informing voters of the new polling place location, and conduct the election at the new location.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2008

Governor